

MEETING OF THE CITY OF RUSHVILLE, INDIANA

UNSAFE HEARING BOARD

JUNE 18, 2013

5:15 P.M.

CALL TO ORDER: The City of Rushville Unsafe Hearing Board met on the above date and time at 270 West 15th Street, Rushville, Indiana. Mayor Pavey called the meeting to order at 5:18 p.m.

ROLL CALL: Darrin McGowan, Angie Barton, and Ron Jarman answered roll call. Board Member, Gary Cameron arrived later in the meeting. Also present was City Attorney, Tracy Newhouse.

MINUTES: Minutes of the May 7, 2013 meeting were presented for approval. McGowan made a motion to approve the minutes as presented. Barton seconded the motion. Motion carried.

MAYOR'S REPORT: None.

CLERK-TREASURER'S REPORT: None.

CITIZEN CONCERNS: None.

UNFINISHED BUSINESS:

351 N Arthur Street Continuation of Hearing from May 7, 2013 – Assistant Fire Chief Munson reported to the Board that the condition of the property was unsafe. He passed out pictures for the Board to review. Munson said the roof is collapsing and there are unsecured blocks. He said this is allowing weather and animals to get inside. He said the owners have been asked to remove the blocks due to no support to keep them in place. Munson said this was determined to be very dangerous, therefore the City removed the large blocks and they were taken to the City dump site. He said they have secured the buildings on the property to the best of their ability. He said some blocks are crumpling on one on the buildings.

Board Member Cameron arrived.

Munson said their big concern is the old Dana building. This building needs to be demolished. Also there are abandon vehicles that need to be removed.

He said the owners can pick up the blocks that have been removed by the City if they want them.

Mr. and Mrs. Harvey were present. Mrs. Harvey said they had received some correspondence from Newhouse, but she was not sure which building they were referring to. She asked if it was the old building in the back. Newhouse said it was. She said she feels like they are in the dark a little. She said they did not receive notice since they were in Arizona, but since being back they have been trying to clean up the property. She said they still have 5 vehicles to remove. She said there are cars in the back building along with personal property. Harvey said they do not have the resources to remove or repair the building. She said the barriers were put up in 2007 and have not budged one inch. Harvey said they should have received notice if the City thought the blocks were unsafe. Newhouse said that lateral supports were removed. Harvey said there never were any supports.

Mayor Pavey said Harvey could pick up the blocks the City removed. He said the blocks were moving and were dangerous that is why they were removed.

Harvey said NO they had not moved.

Pavey said indeed the position of the blocks had moved. He said a bus was burned while sitting on premises and the police need to be able to view the property to be sure kids are not on the property.

Harvey said the property was in disrepair when they purchased it in the 1990's. She said they invested money to repair leaks and tried to secure the property with locks & chains. This didn't help. She said the Police didn't have a problem viewing the property in March when police called and said someone was inside.

Harvey said they need more time.

Pavey asked the Board to determine a time frame to have the building down.

Harvey said you are not allowed to take personal property from someone's property without their permission.

Pavey said when he met with Harvey she said the antique cars would be removed. This has not happened. Pavey said the issue needs to be addressed.

McGowan asked how the bank fits into the foreclosure proceedings.

Harvey said the foreclosure is in limbo. The former bank stepped down and now it is with Ocwen. She said there are no proceedings for foreclosure at this time.

Jarman said it is the owner's responsibility to deem the property safe.

Harvey said they could only do what they are capable of doing.

Cameron said this still doesn't make the structure safe.

Pavey said we are comfortable with you removing personal property from the premises. The process needs to be started and the most pressing is the building.

Barton asked if Harvey could remove personal property within 30 days. Harvey said no. Barton asked what time frame was needed. Harvey said they could probably remove everything in 90 days.

Jarman made a motion to give Harvey 90 days to remove their personal property. The City will then pursue the removal of the building. Barton seconded the motion. Motion carried.

Harvey asked what the procedure is to demolish the building.

Newhouse said we will hire a contractor and then the City will assess a lien on the property.

McGowan made a motion to include that in 90 days Harvey also demolish the building and if they do not get the building down then the City will pursue the demolition of the building. Jarman seconded the motion. Motion carried.

Barton made a motion to allow 90 days for Harvey to pick up the block that was removed by the City. Cameron seconded the motion. Motion carried.

NEW BUSINESS:

None.

ADJOURN: There was no further business to come before the Board, McGowan made a motion to adjourn. Cameron seconded the motion. The meeting adjourned at 5:50 p.m.